

14230 U.S. PTO
022604

GRAYCARY

4365 Executive Drive, Suite 1100
San Diego, CA 92121-2133
www.graycary.com
O] 858-677-1416
F] 858-677-1465

February 26, 2004

MAIL STOP PATENT APPLICATION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

ATTORNEY DOCKET NO.: MEDIV2020-2

22278 U.S. PTO
10/788747
022604

Sir:

Transmitted herewith for filing is the new **Provisional-to-Utility** patent application of:

APPLICANTS: KENNETH W. CARPENTER, HUASHI ZHANG, BRENDAN J. McCARTHY, ISTVAN SZINAI, WILLIAM G. TURNELL AND SINDHU M. GOPALAN

TITLE: **BIOACTIVE STENTS AND METHODS FOR USE THEREOF**

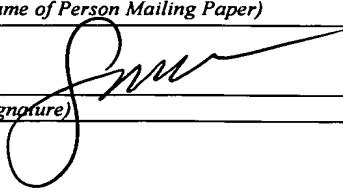
Enclosed are the following papers, including all those required to receive a filing date under
37 CFR § 1.53(b):

| | <u>Number of Pages</u> |
|--------------------------------|------------------------|
| Specification, which includes: | |
| Written Description | 64 |
| 67 Claims | 8 |
| Abstract | 1 |
| | 73 |
| Drawing Sheets (Formal) | 3 |
| Declaration (Unsigned) | 4 |

| |
|---|
| CERTIFICATION UNDER 37 CFR §1.10 "EXPRESS MAIL" Mailing Label Number: <u>EV 318 741 425 US</u> Date of Deposit: <u>February 26, 2004</u> |
|---|

I hereby certify that this correspondence is being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" with sufficient postage on the date indicated above and is addressed to: MAIL STOP PATENT APPLICATION, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Saul Solano
(Name of Person Mailing Paper)


(Signature) February 26, 2004
(Date)

GRAY CARY WARE & FREIDENRICH LLP

ATTORNEY DOCKET NO.: MEDIV2020-2

MAIL STOP PATENT APPLICATION

February 26, 2004

Page 2

Enclosures:

- Specification Cover Page (1 page)
- Application Data Sheet (4 pages)
- Sequence Listing, which includes:
 - Statement Under 37 C.F.R. § 1.821(f) (1 page)
 - Verified Statement Under 37 C.F.R. § 1.821(f) (1 page)
 - Sequence Listing (3 pages)
 - Disk containing the sequence listing (1 disk)
- Check No. 554890 in the amount of \$1,224.00
- Return Receipt Postcard

This application claims priority under 35 U.S.C. § 119(e) to U.S. Provisional Application Serial No. 60/450,627, filed February 26, 2003, and U.S. Provisional Application Serial No. 60/464,381, filed April 21, 2003, the entire contents of which are incorporated herein by reference.

Applicants claim **SMALL ENTITY** status in the above-identified application. Pursuant to 37 C.F.R. § 1.27, a verified statement claiming small entity status is not required.

The filing fee is calculated as follows:

| | Number Filed | | Number Extra | | Rate | | Fee | | | | |
|--------------------------------------|---------------------------|---|--------------|---|--------------|--------------|--------------|--------------|--|--|--|
| | | | | | Large Entity | Small Entity | Large Entity | Small Entity | | | |
| Total Claims | 78-20 | = | 58 | X | \$18 | \$09 | = | \$ 522 | | | |
| Independent Claims | 7 -3 | = | 4 | X | \$86 | \$43 | = | \$ 172 | | | |
| Multiple Dependent Claims Presented: | <u>X</u> Yes <u> </u> No | | | | \$290 | \$145 | \$ | \$145 | | | |
| BASIC FEE | | | | | | | \$ 0 | \$385 | | | |
| TOTAL FEE | | | | | | | \$ 0 | \$1,224 | | | |

Enclosed is Check No. 554890 in the amount of \$1,224.00; which consists of \$385.00 for the filing fee, \$522.00 for the extra claims fee, \$172.00 for the extra independent claims fee and \$145.00 for the multiple dependent claims fee. Please apply any other required fees, or any credits, to Deposit Account No. 50-1355, referencing the attorney docket number shown above.

GRAY CARY WARE & FREIDENRICH LLP

ATTORNEY DOCKET NO.: MEDIV2020-2

MAIL STOP PATENT APPLICATION

February 26, 2004

Page 3

If this application is found to be INCOMPLETE, or if a telephone conference would otherwise be helpful, please call the undersigned at (858) 677-1416.

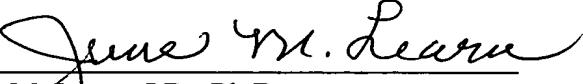
A duplicate copy of this letter is enclosed. Kindly acknowledge receipt of this application by returning the enclosed postcard.

All future correspondence should be addressed to:

June M. Learn, J.D., Ph.D.
GRAY CARY WARE & FREIDENRICH LLP
4365 Executive Drive, Suite 1100
San Diego, CA 92121-2133
Telephone: (858) 677-1416
Facsimile: (858) 677-1465
USPTO Customer Number 28213

Respectfully submitted,

GRAY CARY WARE & FREIDENRICH LLP



June M. Learn, J.D., Ph.D.
Reg. No. 31,238

February 26, 2004

Date

JML:gpa
Enclosures